

J. S. MURAD.

LETTER

FROM

THE SECRETARY OF STATE,

COMMUNICATING!

Information touching the application for compensation of the late consular agent of the United States at Jaffa.

JANUARY 13, 1859.—Referred to the Committee on Foreign Affairs and ordered to be printed.

DEPARTMENT OF STATE,
Washington, January 12, 1859.

SIR: I have the honor to transmit, herewith, a letter addressed to Hon. H. E. Royce, in reply to a communication addressed to this department, requesting information to be furnished to the Committee on Foreign Affairs touching the petition of J. S. Murad, late United States consular agent at Jaffa, praying compensation for alleged consular expenditures and services, and request that you will give it the proper direction.

I am, sir, your obedient servant,

LEWIS CASS.

Hon. JAMES L. ORR,
Speaker of the House of Representatives.

DEPARTMENT OF STATE,
Washington, January 12, 1859.

SIR: I have the honor to acknowledge the receipt of your communication of the 21st ultimo, transmitting the petition of J. S. Murad, late consular agent of the United States at Jaffa and Jerusalem, praying to be reimbursed for expenditures alleged to have been incurred by him while in the consular service, namely, for the pay of the dragoon and janissary employed in the consular agency, rent of office,

and for aid afforded American citizens in Syria, and also for compensation for his own services.

In reply to your inquiry for any information touching the same which the archives of the department may afford to the committee, I have the honor to state, that under the provisions of the act regulating the diplomatic and consular systems of the United States, approved August 18, 1856, consular officers are divided into two classes, namely, "full, principal and permanent consular officers" and "subordinates and substitutes," a distinction which, in the practice of the department was recognized substantially for a long period prior to the passage of the act. The first named class of officers is appointed by the President by and with the advice of the Senate, or by the Department of State, under the direction of the President. Officers of the second class are subordinate to the former and are appointed by "principal" consular officers subject to the approval of the President, who are held responsible for the official acts of such subordinates. In this class are consular agents, who exercise powers and discharge consular duties within the limits of the consular jurisdiction of the consuls by whom they are respectively appointed and to whom they are amenable. They are appointed at seaports frequented by American vessels within any consulate, or at places where American interests are concerned, or to which American travellers resort, and where there is no "full, principal and permanent consular officer."

These offices are much sought after by individuals residing within a consulate, either for the honor which they confer, the protection they afford, or the emolument they give; and especially is this the case in the East where persons thus clothed with consular powers, and also their families and dependants, although Ottoman subjects, are in a great measure withdrawn from the operation of the local laws and are subject to the jurisdiction and regulations of the government which they temporarily serve, and under whose flag they are protected.

In this subordinate class of consular officers was Mr. Murad. He doubtless assumed the responsibilities of the consular office and discharged its duties with a full knowledge of the dignity and protection thereby given, and was also aware that his compensation would be derived only from the consular fees. There is abundant evidence on the files of the department to show that he discharged his consular duties in a manner agreeable to American citizens travelling or residing in Syria, and, as is believed, to the satisfaction of the government of the United States during his long period of consular service. No account has been presented to this department of his expenditures for rent of a consular office, for the pay of dragoman or janissary, nor is there any appropriation from which expenditures for this purpose by a "subordinate" consular officer could be paid. If expenses have been incurred by him for the relief of American *seamen*, they will be reimbursed by the department on the presentation of the proper vouchers. If he has "expended a large sum from his own means for the comfort and aid of United States citizens" who are not *seamen*, it lies within the dis-

cretion of Congress to afford relief; special appropriations have occasionally been made by Congress for this purpose, as in the cases of the United States commercial agents at St. Domingo and Mauritius, and the United States consuls at Hong Kong and Panama. (See Statutes at large, vol. x, pages 94, 667, 659, respectively, and Session statutes, third session thirty-fourth Congress, pages 43 and 44, Private Acts.)

For your further information, I transmit herewith a copy of a communication signed by American gentlemen residing in Syria bearing testimony to important services rendered by Mr. Murad in bringing to justice the perpetrators of dreadful outrages committed in 1857, upon the members of an American family residing in Jaffa.

I have the honor to be, sir, your obedient servant,

LEWIS CASS.

Hon. H. E. ROYCE,

Committee on Foreign Affairs, House of Representatives.

SEPTEMBER 25, 1858.

SIR: We the undersigned citizens of the United States of America residing in Palestine and Syria, respectfully represent that Mr. Jacob Serapion Murad, an American gentleman of the highest respectability, has most efficiently and honorably represented the American government in a consular capacity for many years past both in Jaffa and Jerusalem, but, has as yet, never received the slightest compensation.

These facts are all set forth, duly certified in various communications, now on file in the department of State—to which reference is made for particulars, as also to the published testimonials of Stevens, Lynch, and other travellers—and we would respectfully beg leave further to state, that on account of his valuable services in bringing to justice the perpetrators of the horrible outrage on the Dixon family, his life is in such jeopardy that he is compelled to abandon his gardens in the vicinity of Jaffa, and take refuge within its walls, very much to the detriment of his business.

Assured that the department, upon proper representation of the matter, will cheerfully do whatever can be legally done for the relief of one who has been so attentive to the interests of our country in so responsible a position, we venture, most respectfully, to suggest that in addition to the unappropriated salary of the Jerusalem consulate, prior to its occupancy by the present incumbent (during which period its duties were faithfully discharged by Mr. Murad) the department confer upon him, whatever other remuneration, favor or mark of approbation it may deem expedient, under existing circumstances. And your petitioners will ever pray, &c.

ALFRED ROBERTS, Jerusalem.

JAMES T. BARCLAY, M. D., do.

WM. M. JONES, do.

WARDER CRESSON, do.

HARRIET LIVERMORE, do.

JACOB FRED. KRAUS, do.
 BENJAMIN LILLIENTHAL, Jerusalem.
 DUT. R. MOORE, do.
 R. G. BARCLAY, M. D., do.
 MARY R. WILLIAMS, Jaffa.
 CHARLES SAUNDERS, do.
 MARTHA C. SAUNDERS, do.
 MARTHA B. SAUNDERS, do.
 C. V. A. VAN DYCK, M. D., Beirut.
 J. E. FORD, do.
 S. H. CALHOUN, near Beirut.
 S. LOREZO LYONS, Tripoli.
 W. M. EDDY, Sidon.
 W. S. BENTON, Bhamdun.
 W. BIRD, Mount Lebanon,
 HENRY R. JESSUP, Tripoli.
 DANIEL BLISS, near Beirut.
 J. JUDSON BARCLAY, U. S. V. Consul, Beirut.
 EDWARD S. SMITH, M. D., Beirut.

Hon. LEWIS CASS, *Secretary of State, U. S. A.*

CONSULATE OF THE U. S. OF AMERICA, AT JERUSALEM,
September 30, 1858.

I have great pleasure in attesting to the zeal activity and fidelity, of Mr. Jacob S. Murad. On account of the active part taken by Mr. Murad in bringing to justice the perpetrators of the outrage on Americans at Jaffa, his life has been endangered, and he has suffered much pecuniary loss, from having been obliged to leave his farm outside of Jaffa, and hire a house in the city. I most cheerfully recommend him to the department.

J. WARREN GORHAM,
U. S. Consul.

U. S. CONSULATE, BEIRUT, SYRIA,
October 5, 1858.

I cheerfully add my testimony to the faithfulness and the efficiency with which Mr. Murad has discharged the duties of his office during the period of my residence in the East, and particularly in reference to the late melancholy occurrence at Jaffa. And knowing that the part he has taken in bringing the offenders to justice has been to him a source of pecuniary loss and that he has not been in the receipt of a salary or any adequate compensation for his service, I cordially recommend him to the attention of the Department of State.

J. AUGUSTUS JOHNSON,
U. S. Consul.

True copies—attest—J WARREN GORHAM, [L. S.]
U. S. Consul at Jerusalem.